

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Ke Liu et al

Docket No.: C-2990HyS

Serial No.: 10/691,794.

Art Unit: 3748

Filed: October 23, 2003

Examiner: Nguyen, Tu Minh

Title: Intermittent Application of Syngas to  
NOx Trap and/or Diesel Engine

I hereby certify that this correspondence is being  
facsimile transmitted to the United States Patent  
and Trademark Office (Fax No. 703-872-9306) on

April 5, 2005

Barbara Cacere

*Barbara Cacere*

RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Final Rejection dated March 18, 2005.

Claims 1-4 remain for consideration.

1. Withdrawal of the previous Final Rejection is noted with gratitude.
- 2,3. Claims 1-3 are rejected as obvious over Taylor, III et al (Taylor).

Taylor discloses:

- Fig. 1, paragraphs 18-26 – engine only
- Fig. 2, paragraphs 27-31 – engine and abatement – fixed
- Fig. 3, paragraphs 32-37 – abatement only
- Fig. 4, paragraphs 38-43 – engine only
- Fig. 5, paragraphs 44-47 – abatement only
- Fig. 6, paragraphs 48-52 – engine, or abatement, or fuel cell; no selection
- Figs. 7-9, paragraph 49 – no details

Taylor therefore only discloses providing reformate to an engine, to an  
abatement device, or as in Fig. 2 to both the engine and the abatement device but  
with no alteration in the operation thereof whatsoever.

Words and phrases in the rejection which, or any like-meaning words or phrases, are NOT in Taylor, in order of appearance in the rejection,

- Page 2 – intermittently, last line
- Page 3 – repetitively, line 5  
adequate, line 3  
repetitively, line 5  
periodically, line 5  
during first periods of time, line 6  
interspersed with second periods of time, line 7  
during second periods of time, line 10  
a second amount, line 11  
first periods of time, line 15  
adequate, line 16  
second periods of time, line 17  
a second amount, line 18  
the second amount, line 20  
second periods of time, line 20  
small fraction, line 21  
adequate, line 21  
first periods of time, line 21
- Page 4 – amount, line 9  
periodically, line 10  
effective amount, line 10  
first periods of time, line 11  
interspersed, line 11  
second periods of time, line 12  
altering, line 14  
either the first means or the second means, line 15  
second periods, line 15  
diverting, line 15
- Page 5 – first periods of time, line 9  
effective amount, line 10  
second periods of time, line 11  
a second amount, line 12  
reduced, line 14  
second periods of time, lines 14, 15  
second amount, line 15  
small fraction, line 15  
effective, line 16  
first periods of time, line 16

Taylor does not periodically repeat anything, does not have different periods of time interspersed with each other, does not disclose generating different amounts of reformat and does not disclose a second reformer (mini CPO) as called for in claims 1-3. There is absolutely no support in Taylor for the rejection; there is no similarity between Taylor and the claimed subject matter except: engine, reformat, abatement device.

Reconsideration and allowance of claims 1-3 over Taylor is hereby respectfully requested.

4. Claim 4 is rejected as claims 1-3 in further view of May et al. Claim 4 is patentable for the same reasons as claim 3 and its allowance is hereby respectfully requested.

6. The rejection has been made final. However, there was no amendment that necessitated these new grounds of rejection: the very same argument which is stated to be persuasive in paragraph 1 of the Office Action appeared in response to the first Office Action dated 10/19/04 and in response to the second Office Action dated 12/21/04. The Amendments in response to the first Office Action resulted in the same rejection, the inappropriateness of which has been now agreed with. The amendment to claim 1, in response to the first Office Action, simply made extremely explicit that which was already stated in original claim 1. That is, Kirwan does not disclose "periodically applying the syngas to the auxiliary system in the adequate amount during first periods of time interspersed with second periods of time". Nor doing something different in the second periods of time.

MPEP 706.07 states "Before final rejection is in order, a clear issue should be developed between the Examiner and applicant....The Examiner should never lose sight of the fact that in every case the applicant is entitled to a full and fair hearing and that a clear issue between applicant and the Examiner should be developed, if possible, before appeal."

The final rejection is premature and should be withdrawn (MPEP 706.07(d)).

7. It is agreed that the prior art not relied on is no more relevant than that referred to hereinbefore.

8. Should the foregoing not be persuasive in any respect whatsoever, a telephone call is earnestly solicited.

Respectfully submitted,



M. P. Williams

Attorney of Record

Voice: 860-649-0305

Fax: 860-649-1385

210 Main Street  
Manchester, CT 06040

Date: April 1, 2005